

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

CRIMINAL NO.  
16-10059-GAO

UNITED STATES OF AMERICA

v.

JOSE MANUEL ARROYO

**REPORT AND RECOMMENDATION  
CONCERNING PLEA OF GUILTY**

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May 23, 2017

DEIN, M.J.

Defendant Jose Manuel Arroyo, by consent, has appeared before me pursuant to Rule 11, Fed. R. Crim. P., and Rule 5 of the Rules for United States Magistrate Judges in the District of Massachusetts, and has entered a plea of guilty to Count I of the Indictment. After cautioning an examining Defendant under oath concerning each of the subjects mentioned in Rule 11, I determined that the guilty plea was knowledgeable and voluntary and that the offense charged is supported by an independent basis in fact establishing each of the essential elements of such offense. I therefore recommend that the plea of guilty be accepted and that Defendant be adjudged guilty and have sentence imposed accordingly.<sup>1</sup>

/s/ Judith Gail Dein

Judith Gail Dein

United States Magistrate Judge

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<sup>1</sup> The parties are hereby advised that under the provisions of Fed. R. Civ. P. 72 any party who objects to these proposed findings and recommendations must file a written objection thereto with the Clerk of this Court within 14 days of the party's receipt of this Report and Recommendation. The written objections must specifically identify the portion of the proposed findings, recommendations or report to which objection is made and the basis for such objections. The parties are further advised that the United States Court of Appeals for this Circuit has repeatedly indicated that failure to comply with this Rule shall preclude further appellate review. See Keating v. Sec'y of Health & Human Servs., 848 F.2d 271, 275 (1st Cir. 1988); United States v. Valencia-Copete, 792 F.2d 4, 6 (1st Cir. 1986); Park Motor Mart, Inc. v. Ford Motor Co., 616 F.2d 603, 604-605 (1st Cir. 1980); United States v. Vega, 678 F.2d 376, 378-79 (1st Cir. 1982); Scott v. Schweiker, 702 F.2d 13, 14 (1st Cir. 1983); see also Thomas v. Arn, 474 U.S. 140, 153-54, 106 S. Ct. 466, 474, 88 L. Ed. 2d 435 (1985). Accord Phinney v. Wentworth Douglas Hosp., 199 F.3d 1, 3-4 (1st Cir. 1999); Henley Drilling Co. v. McGee, 36 F.3d 143, 150-51 (1st Cir. 1994); Santiago v. Canon U.S.A., Inc., 138 F.3d 1, 4 (1st Cir. 1998).